



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street, 3rd Floor  
New York, New York 10007*

June 14, 2022

**BY ECF**

The Honorable Laura Taylor Swain  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

Re: *Avon Nursing & Rehabilitation, et al. v. Becerra*,  
No. 18 Civ. 2390 (LTS)(SDA)

Dear Judge Swain:

This Office represents defendant Xavier Becerra, Secretary of the U.S. Department of Health and Human Services (the “government”), in the above-referenced matter. Presently, the government’s reply brief in further support of its cross-motion for summary judgment is due on Friday, June 17, 2022. (ECF No. 100). Respectfully, we write to request a one-week extension of that deadline, until Friday, June 24, 2022.<sup>1</sup>

We make this request because, owing to the press of business, this Office and HHS require additional time to coordinate and finalize their filing. This is the government’s second request for an extension of a deadline in connection with the parties’ summary judgment briefing; the Court has granted the parties’ prior extension requests. (ECF Nos. 74, 88, 94, 100). Plaintiffs consent to this request.

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<sup>1</sup> Because the parties’ cross-motions for summary judgment will be fully briefed once the government files its reply brief, an extension of this deadline will not affect any other deadlines.

We thank the Court for its consideration of this letter.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

The extension request is granted. The reply  
brief shall be submitted by June 24, 2022.  
This resolves DE # 103.

SO ORDERED.

/s/ Laura Taylor Swain, Chief U.S. District  
Judge  
June 15, 2022

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cc: *Plaintiffs' counsel* (by ECF)